



# APPLICATION FOR SEARCH WARRANT

I, J.A. Young, a Senior Police Officer/Detective with the Cary Police Department  
*(Insert name and address; or if law enforcement officer, name, rank and agency)*

being duly sworn, request that the Court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. There is probable cause to believe that *(Describe property to be seized; or if search warrant is to be used for searching a place to serve an arrest warrant or other process, name person to be arrested)*  
 SEE ATTACHMENT INCORPORATED BY REFERENCE

constitutes evidence of a crime and the identity of a person participating in a crime, *(Name crime)* Burning other buildings, N.C.G.S. 14-67.1

and is located *(Check appropriate box(es) and fill in specified information)*

☒ in the following premises *(Give address and, if useful, describe premises)*  
Google, Inc. located at 1600 Amphitheatre Parkway, Mountain View, California 94043

*(and)*

☐ on the following person(s) *(Give name(s) and, if useful, describe person(s))*

*(and)*

☐ in the following vehicle(s) *(Describe vehicle(s))*

*(and)*

☐ *(Name and/or describe other places or items to be searched, if applicable)*

The applicant swears or affirms to the following facts to establish probable cause for the issuance of a search warrant:

SEE ATTACHMENT INCORPORATED BY REFERENCE

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

03-12-18

Date

3-12-18

Name Of Applicant *(type or print)*

J.A. Young, Detective - Cary Police Dept.

Signature

[Signature]

Signature Of Applicant

☐ Magistrate ☐ Dep. CSC ☐ Asst. CSC ☐ Clerk Of Superior Court ☒ Judge

☐ In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by \_\_\_\_\_

☐ In addition to the affidavit included above, this application is supported by sworn testimony, given by \_\_\_\_\_

This testimony has been *(check appropriate box)* ☐ reduced to writing

☐ tape recorded and I have filed each with the clerk.

**NOTE:** *If more space is needed for any section, continue the statement on an attached sheet of paper with a notation saying "see attachment." Date the continuation and include on it the signatures of applicant and issuing official.*

PROBABLE CAUSE AFFIDAVIT

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF WAKE

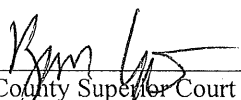
CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF GOOGLE, INC. REGARDING CARY POLICE OCA 17-11341

SECTION I: DESCRIPTION OF PROPERTY TO BE SEIZED

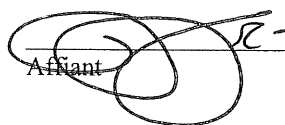
The facts and circumstances outlined in this affidavit suggest that there is probable cause to believe evidence of the commission of the crime of **Burning other buildings**, a violation of North Carolina General Statute 14-67.1, may be found within computer servers maintained or controlled by Google, Inc. or Google Payment Corp. Such accounts are described further in SECTION II: DESCRIPTION OF PLACES TO BE SEARCHED stored at premises controlled by Google, Inc., a company that accepts service of legal process at 1600 Amphitheatre Parkway, Mountain View, California 94043. The following material is sought for the time period of **0600 hours (6:00 a.m.) Eastern Standard Time (EST) until 0630 hours (6:30 a.m.) Eastern Standard Time (EST) on Friday, December 22, 2017:**

1. For each type of Google account that is associated with a device that was inside the geographical area described further in SECTION II: DESCRIPTION OF PLACES TO BE SEARCHED, **during the time frame listed above**, Google, Inc. will provide **"anonymized information"** regarding the Accounts that are associated with a device that was inside the described geographical area during the time frame described above. This **"anonymized information"** will include a numerical identifier for the account, the type of account, time stamped location coordinates and the data source that this information came from if available. The information initially provided by Google, Inc. will not contain any further content or information identifying the user of a particular device or account.
2. Law enforcement officers will review this **"anonymized information"** provided by Google, Inc. in an effort to narrow down the list of accounts associated with devices identified in the **"anonymized information"**. Law enforcement officers will attempt to narrow down the list by reviewing the time stamped location coordinates for each account and comparing that against the known time and location information that is specific to this crime.
3. Law enforcement officers will return a list that they have attempted to narrow down. This list will still be identified by the **"anonymized information"** described above. After this review by Law Enforcement and upon request, Google, Inc. shall produce "contextual data points with points of travel outside of the geographical area" described further in SECTION II: DESCRIPTION OF PLACES TO BE SEARCHED of this Application for Search Warrant. **The time frame will be expanded** for this production of "contextual data points with points of travel outside of the geographical area" for thirty (30) minutes before AND thirty (30) minutes after the initial search time period of 0600 hours (6:00 a.m.) Eastern Standard Time (EST) until 0630 hours (6:30 a.m.) Eastern Standard Time (EST) on Friday, December 22, 2017. **This expanded time frame will be from 0530 hours (5:30 a.m.) Eastern Standard Time (EST) until 0700 hours (7:00 a.m.) Eastern Standard Time (EST) on Friday, December 22, 2017.** Google, Inc. shall provide this additional information to Law Enforcement for review.
4. Law Enforcement officers will review this additional information along with the **"anonymized information"** and will attempt to narrow down the list by comparing this additional information regarding travel and time against the known time and location information that is specific to this crime.
5. After review and upon request by Law Enforcement, Google, Inc. shall provide identifying account information / CSI for the account(s) requested by Law Enforcement. This identifying account information / CSI shall include all of the following that are available: user name and

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Wake County Superior Court Judge

3-12-18  
Date

  
Affiant

03-12-18  
Date

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**CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF GOOGLE, INC. REGARDING CARY POLICE OCA 17-11341**

subscriber information to include date of birth if available, account type and account number, email addresses associated with the account, electronic devices associated with the account and their identifying make, model and other identifying numbers, telephone numbers associated with the account including telephone numbers used to set up the account, verify the account or to receive assistance with the account, and Google Voice phone numbers associated with the account.

**SECTION II: DESCRIPTION OF PLACES TO BE SEARCHED**

This search warrant applies to the Google, Inc. accounts associated with devices that were located inside of the following geographical area defined by six (6) points during the time frame of **0600 hours (6:00 a.m.) Eastern Standard Time (EST) until 0630 hours (6:30 a.m.) Eastern Standard Time (EST) on Friday, December 22, 2017:**

Point #1: 35.736372 -78.804965  
Point #2: 35.736789 -78.805231  
Point #3: 35.737335 -78.804179  
Point #4: 35.738043 -78.804571  
Point #5: 35.737028 -78.805821  
Point #6: 35.736250 -78.805258

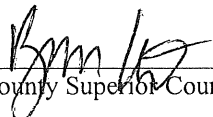
This data is maintained on computer servers that are stored at premises controlled by Google, Inc., a company that accepts service of legal processes at 1600 Amphitheatre Parkway, Mountain View, California 94043. An image of the geographical area defined by the six (6) points detailed above is included in this search warrant as ATTACHMENT A.

A law enforcement officer will serve this search warrant by transmitting it via email or another appropriate manner to the Provider, Google, Inc. The Provider, Google, Inc., is directed to produce to the law enforcement officer an electronic copy of the information specified in SECTION I: DESCRIPTION OF PROPERTY TO BE SEIZED.

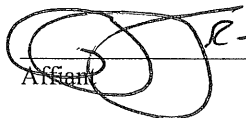
**SECTION III: FACTS THAT ESTABLISH PROBABLE CAUSE**

A. I, J.A. Young (Affiant), am a law enforcement officer with the Cary Police Department holding the rank of Senior Police Officer. I earned a Bachelor of Science degree in Administration of Criminal Justice from the University of North Carolina at Chapel Hill in August, 1993. I have been employed as a law enforcement officer with the Cary Police Department since 1994 with the exception of the time period of 1997 to 2001 when I was employed as a law enforcement officer with the Greensboro Police Department. I earned my Advanced Certificate from the North Carolina Criminal Justice Training and Standards Commission in November, 2000. I am currently assigned as a Detective with the Criminal Investigations Division of the Cary Police Department. Prior to my assignment as a Detective, I investigated and arrested individuals regarding numerous incidents of breaking and entering to businesses and residences, larceny offenses, possession of stolen property and traffic offenses as an officer assigned to the Field Operations

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Wake County Superior Court Judge

3-12-18  
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Affiant

03-12-18  
Date

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Bureau of both the Cary Police Department and the Greensboro Police Department. Since my assignment as a Detective in January, 2005, I have investigated and arrested individuals regarding the criminal offenses of murder, attempted murder, robbery, rape, sex offenses, financial crimes and drug crimes. I have more than 1,800 hours of law enforcement training which includes advanced training in the investigation of natural deaths, suicides and homicides.

B. The facts set forth below are based upon your affiant's personal observations, reports and information provided to your affiant by other law enforcement officials and obtained records. This affidavit is intended to show that there is probable cause for this search warrant and does not purport to set forth all of your affiant's knowledge of or investigation into this matter.


On Friday morning, December 22, 2017 at approximately 0630 hours (6:30 a.m.) Eastern Standard Time (EST), Cary Fire Department and Cary Police Department personnel were dispatched to a commercial building located at 300 Gregson Drive in Cary, N.C. pertaining to a structure fire. The commercial building at this address is the corporate offices of Trans World Radio (TWR). Upon the arrival of Cary Fire Department personnel, a fire was noted on the loading dock of the commercial building. The fire was suppressed and extinguished by Cary Fire Department personnel and an investigation into the cause and origin of the fire was initiated by the Cary Fire Department Investigations Team.

During a review of exterior surveillance video cameras of the commercial building of Trans World Radio (TWR), Cary Fire Department personnel noted an individual on the surveillance video camera footage walking toward the area of the origin of the fire on the loading dock at approximately 0614 hours (6:14 a.m.) Eastern Standard Time (EST). The individual is noted to be running from the loading dock area at approximately 0617 hours (6:17 a.m.) Eastern Standard Time (EST). During the time period between 0614 hours (6:14 a.m.) EST and 0617 hours (6:17 a.m.) EST, a fire is noted to start on the loading dock area by exterior surveillance video camera footage. The surveillance video camera footage shows the individual approached the loading dock from the northwest corner of the commercial building of TWR located at 300 Gregson Drive in Cary, N.C. by walking down the west side of the building to the southwest corner of the commercial building where the loading dock is located. The individual is noted to flee the loading dock area by running from the southwest corner of the commercial building toward the northwest corner of the building. There is a pond located to the north of the commercial building of TWR therefore it is believed that the individual entered and exited the area by traveling east from the northwest corner of the commercial building of TWR. In addition, a glass window was found to be broken on the exterior of the commercial building of TWR near the northwest corner of the building. The window was broken in a manner which was consistent with an individual attempting to access the interior of the commercial building.

As the individual approaches and flees from the loading dock area, the individual is noted to be carrying a container which appears to be white in color. During the cause and origin investigation of the Cary Fire Department Investigations Team, the Wake County Fire Marshal's Office, the North Carolina State Bureau of Investigation (NCSBI) and the Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) responded to the commercial building of TWR to assist in the investigation. A canine trained to detect the presence of accelerants at fire scenes completed a search of the exterior of the commercial building of TWR and alerted to three (3) areas.

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 3-12-18  
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Affiant knows that a cellular telephone or mobile telephone is a handheld wireless device primarily used for voice, text and data communication through radio signals. Cellular telephones send signals through networks or transmitter/receivers called 'cells' or 'cell sites', enabling communication with other cellular telephones or traditional 'landline' telephones. Cellular telephones rely on cellular towers, the location of which may provide information on the location of the subject telephone. Cellular telephones may also include global positioning system (GPS) or other technology for determining a more precise location of the device.

Affiant knows that Google, Inc. is a company which, among other things, provides electronic communication services to subscribers, including email services. Google, Inc. allow subscribers to obtain email accounts at the domain name gmail.com and/or google.com. Subscribers obtain an account by registering with Google, Inc. A subscriber using the Provider's (Google, Inc.) services can access his or her email account from any computer/device connected to the Internet.

Affiant knows that Google, Inc. has also developed a proprietary operating system for mobile devices, including cellular telephones, known as Android. Nearly every cellular telephone using the Android operating system has an associated Google account and users are prompted to add a Google account when they first turn on a new Android device.

Based on this affiant's training and experience, this affiant knows that Google collects and retains location data from Android-enabled mobile devices when a Google account user has enabled Google location services. Google can also collect location data from non-Android devices if the device is registered to a Google account and the user has location services enabled. The company uses this information for location-based advertising and location-based search results and stored such data in perpetuity unless it is manually deleted by the user. This location information is derived from GPS data, cell site/cell tower information, Bluetooth connections and Wi-Fi access points.

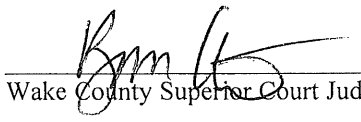
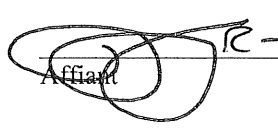
Affiant knows that location data can assist investigators in forming a fuller geospatial understanding and timeline related to a specific criminal investigation and may tend to identify potential witnesses and/or suspects. Such information can also aid investigators in possibly inculcating or exculpating persons of interest.

Additionally, location information can be digitally integrated into image, video, or other computer files associated with a Google account and can indicate the geographic location of the accounts user at a particular date and time (e.g., digital cameras, including on cellular telephones, frequently store GPS coordinates indicating where a photo was taken in the "metadata" of an image file).

Affiant respectfully submits that there is probable cause to believe that information stored on the servers of Google, Inc. associated with the Google accounts and/or devices located at the location and time frame specified in SECTION II: DESCRIPTION OF PLACES TO BE SEARCHED, will contain evidence, fruits and instrumentalities of the crime of **Burning other buildings**, a violation of North Carolina General Statute 14-67.1.

The geographical region described in SECTION II: DESCRIPTION OF PLACES TO BE SEARCHED is the area in close proximity to the location of where the crime of **Burning other buildings**, a violation of

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 Wake County Superior Court Judge	37278 Date	 Affiant	03-12-18 Date
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PROBABLE CAUSE AFFIDAVIT

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**CONTINUATION OF SEARCH WARRANT APPLICATION IN THE MATTER OF GOOGLE, INC. REGARDING CARY POLICE OCA 17-11341**

North Carolina General Statute 14-67.1 being investigated was committed. The specific longitudes and latitudes indicated was identified through a mapping software and a screenshot of this location is included within ATTACHMENT A. This affidavit seeks authority to collect certain specified non-content and limited content information related to Google, Inc. accounts that were located within the geographical region described in SECTION II: DESCRIPTION OF PLACES TO BE SEARCHED during the time period of 0600 hours (6:00 a.m.) Eastern Standard Time (EST) until 0630 hours (6:30 a.m.) Eastern Standard Time (EST) on Friday, December 22, 2017.

The information sought from Google, Inc. regarding the accounts, identified in SECTION I: DESCRIPTION OF PROPERTY TO BE SEIZED to this search warrant, will assist in identifying which cellular devices were near the location where the crime being investigated occurred during the time frame it is currently believed to have occurred. This information may assist law enforcement in determining which persons were present or involved with the crime of **Burning other buildings**, a violation of North Carolina General Statute 14-67.1, under investigation.

Affiant would respectfully request the court issue a search warrant for the material identified in SECTION I: DESCRIPTION OF PROPERTY TO BE SEIZED of the above-mentioned premises controlled by Google, Inc.

 3-12-18  
Wake County Superior Court Judge Date

 03-12-18  
Affiant Date

## ATTACHMENT A

Google Maps 300 Gregson Dr



Imagery ©2018 Google, Map data ©2018 Google 50 ft

Point #1: 35.736372 -78.804965

Point #2: 35.736789 -78.805231

Point #3: 35.737335 -78.804179

Point #4: 35.738043 -78.804571

Point #5: 35.737028 -78.805821

Point #6: 35.736250 -78.805258

*Bnm*  
 Wake County Superior Court Judge

3/2/18  
 Date

*12-*  
 Affiant

03-12-18  
 Date



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE –  
SUPERIOR COURT DIVISION

**APPLICATION FOR ORDER TO PREVENT DISCLOSURE TO THE USERS WITH ACCOUNTS INVOLVED OF THE EXISTENCE OF A SEARCH WARRANT RELATED TO GOOGLE, INC. REGARDING CARY POLICE OCA 17-11341. SAID SEARCH WARRANT DATED FRIDAY, MARCH 9, 2018.**

NOW COMES Detective J.A. Young (Applicant) of the Cary Police Department and petitions the Court to authorize an order to prevent disclosure of the search warrant dated **Monday, March 12, 2018** to the users with accounts involved. Said search warrant authorizing the search of Google servers for accounts associated devices that were located inside of the following geographical area defined by six (6) points during the time frame of **0600 hours (6:00 a.m.) Eastern Standard Time (EST) until 0630 hours (6:30 a.m.) Eastern Standard Time (EST) on Friday, December 22, 2017:**

Point #1: 35.736372 -78.804965, Point #2: 35.736789 -78.805231, Point #3: 35.737335 -78.804179, Point #4: 35.738043 -78.804571, Point #5: 35.737028 -78.805821 and Point #6: 35.736250 -78.805258.

Pursuant to 18 U.S.C. § 2705(b), and 3103a(b), this applicant requests that the proposed order direct the provider, and all other communications providers, persons or entities who are obligated by the proposed warrant to provide assistance to the investigative agency, not to disclose in any manner, directly or indirectly, by any action or inaction, to the subscriber(s) or to any other person, the existence of the proposed warrant, in full or redacted form, the existence of the legal request or the existence of this investigation, unless otherwise ordered by this Court; and that the identity of any account users included within the search results may be redacted from any copy of the proposed warrant to be served on any service provider or other person.

The existence and scope of this ongoing criminal investigation is not publicly known. As a result, premature public disclosure of this affidavit or the requested warrant could alert potential criminal targets that they are under investigation, causing them to destroy evidence, flee from prosecution, or otherwise seriously jeopardize the investigation. In light of the serious nature of the crime under investigation, premature revelation of this investigation may alert dangerous targets that they have been identified by others and endanger the safety of witnesses who have been cooperating with the Government.


Accordingly, there is reason to believe that, were the Provider to notify subscribers or users of the Subject Accounts or others of the existence of the warrant, the investigation would be seriously jeopardized. Pursuant to 18 U.S.C. § 2705(a), I therefore respectfully request that the Court direct the Provider not to notify any person of the existence of the warrant for a period of 90 days from issuance, subject to extension upon application to the Court, if necessary.

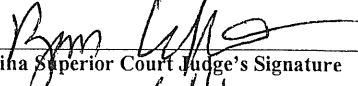
For similar reasons, I respectfully request that the accompanying warrant and all papers submitted herewith be maintained under seal until the Court orders otherwise, except that the Government be permitted without further order of this Court to provide copies of the warrant and affidavit as need be to personnel assisting it in the investigation and prosecution of this matter, and to disclose those materials as necessary to comply with discovery and disclosure obligations in any prosecutions related to this matter.

The Applicant declares under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on **Monday, March 12, 2018.**

RESPECTFULLY SUBMITTED THE 03-12-18

SWORN BEFORE ME THIS 3-12-18

  
Applicant's Signature  
JA YOUNG  
Applicant's Name Printed

  
North Carolina Superior Court Judge's Signature  
Bryan Collins  
Superior Court Judge's Name Printed

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE –  
SUPERIOR COURT DIVISION

**COURT ORDER TO PREVENT DISCLOSURE TO THE USERS WITH ACCOUNTS INVOLVED  
OF THE EXISTENCE OF A SEARCH WARRANT RELATED TO GOOGLE, INC. REGARDING  
CARY POLICE OCA 17-11341. SAID SEARCH WARRANT DATED FRIDAY, MARCH 9, 2018.**

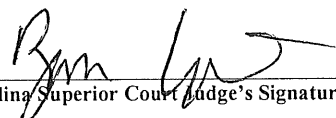
THIS MATTER having come before me on a petition by Detective J.A. Young of the Cary Police Department and it appearing to the court that public release of the information related to this search warrant would be detrimental to an ongoing criminal investigation related to this search warrant dated **Monday, March 12, 2018**, authorizing the search of Google servers for accounts associated devices that were located inside of the following geographical area defined by six (6) points during the time frame of **0600 hours (6:00 a.m.) Eastern Standard Time (EST) until 0630 hours (6:30 a.m.) Eastern Standard Time (EST) on Friday, December 22, 2017**:

Point #1: 35.736372 -78.804965, Point #2: 35.736789 -78.805231, Point #3: 35.737335 -78.804179,  
Point #4: 35.738043 -78.804571, Point #5: 35.737028 -78.805821 and Point #6: 35.736250 -78.805258.

Pursuant to 18 U.S.C. § 2705(b), and 3103a(b), it is ordered that the provider, and all other communications providers, persons or entities who are obligated by the proposed order to provide assistance to the investigative agency, not to disclose in any manner, directly or indirectly, by any action or inaction, to the subscriber(s) or to any other person, the existence of the proposed warrant, in full or redacted form, the existence of the legal request, or the existence of this investigation, unless otherwise ordered by this Court; and that the identity of any account users included within the search results may be redacted from any copy of the proposed warrant to be served on any service provider or other person. Specifically, being as disclosure of the requested order and investigation would likely result in continued flight from testimony, a modification of the suspect's activities or the activities of those with whom the suspect communicates and associates, or the destruction or tampering of evidence; and would otherwise seriously jeopardize the investigation; the applicant further requests, pursuant to the delayed notice provisions of 18 U.S.C. § 2705(a), for an order delaying any notification to the subscriber or customer that may be required by 18 U.S.C. § 2703(b) to obtain the contents of communications, for a period of ninety (90) days.

THEREFORE, BE IT SO ORDERED that the search warrant dated **Monday, March 12, 2018**, not be disclosed to the users with accounts involved or other parties for a period of ninety (90) days. Said search warrant authorizing the search of Google servers for accounts associated devices that were located inside of the following geographical area defined by six (6) points during the time frame of **0600 hours (6:00 a.m.) Eastern Standard Time (EST) until 0630 hours (6:30 a.m.) Eastern Standard Time (EST) on Friday, December 22, 2017**.

This the 12<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
North Carolina Superior Court Judge's Signature

Bayan Collins  
\_\_\_\_\_  
Superior Court Judge's Name Printed